



Federal Renovation, Repair and Painting (RRP) Rule Tip & Complaint Form

In 2010, the EPA implemented the Renovation, Repair and Painting (RRP) rule to ensure contractors working in housing and child-occupied facilities built before 1978, take the following actions to protect owners and tenants from exposure to lead-based paint:

- Be certified by EPA to conduct RRP work,
- Provide the Renovate Right brochure to owners and tenants before beginning work, and
- Minimize exposure to dust and paint chips created during work.

1. Information about Work Site

*Indicates information is required for EPA to follow-up on the tip or complaint. Note that the information submitted through the form is not confidential.

Street:*	709 South Nardo
City:*	Solana Beach
State:*	CA
Zip:*	92014
Name of Property Owner or Management Company:	HG Fenton, Fenton Solana Highlands
Name of the Residential Complex or Child-Occupied Facility:	Solana Highlands Apartment Homes
Was the residence/facility built before 1978?*	yes
When did the work begin? (estimate)*	01/11/2015
Estimate number of days until the work will end.*	100
Are there any young children living in or around the work site?	yes
Are there any pregnant women living in or around the site?	unknown

2. Contact Information for Company or Person Doing the Work

Company Name:*	Fenton Solana Highlands
Name of Company Contact Person:	
Company Street Address:	701 S. Nardo
City:	Solana Beach
State:	CA
Zip:	92014
Company Phone Number:	
Company eMail address:	
Vehicle License Plate Number:	
Contractor License Number:	
EPA RRP Certificate Number:	

3. Information about the Work Being Done

Please provide a brief description about the work site (e.g. room remodeling, exterior painting, window replacement).

ONGOING UNSAFE WORK PRACTICES~~Repair and Maintenance~~Cut and repair drywall in-house if under 1 square feet~~Painting ~~ Scrape paint along windows and used a Shopvac to clean debris~~ Repaint units a turnover – recorded in “Apartment Service Tracking Log”~~ Repaint units during tenancy~~ Paints accent wall frequently~~ Paint walls & cabinets – filtered by “paint” within Intranet~~If damaged, scrape paint and repaint; sometimes remove whole paint on window sill by scraping~~ Additional coats of paint to resist moisture~~ Uses X14, a sodium hypochlorite product, for multi-purpose cleaning on paint surfaces~~“Lead paint disrupted” has been removed from HG Fenton’s inspection sheets~~If you look on Solana Highlands’ web site, observe how the buildings vary in color, and painted accent walls are highlighted~~Electrical~~Plumbing ~~Window Replacement – throughout Building~~~~*See accompanying email

How do you know that this is a contractors/workers.
work site?

The Renovation, Repair and Painting Rule applies to major renovations defined by size or type of project. Please use the following questions to let us know what qualifies this work as a major renovation.

Did the contractor disturb more than **6 square feet of interior** (e.g. 3x2) painted surface? **yes**

Did the contractor disturb more than **20 square feet of exterior** (e.g. 5x4) painted surface? **yes**

Did the contractor replace any windows? **yes**

Power Tools

Did power tools create dust or paint chips? **scraping**

If **other**, please explain.

Containment

Are the dust or paint chips being captured and contained? (check any that apply)

Is the machinery collecting dust or paint chips in proper bins/filters/containers? **no**

Are the dust or paint chips escaping the work area? **no**

Other:

Contractors

Are contractors certified and using protective equipment and clothing? (check any that apply)

Are contractors using appropriate equipment and clothing to prevent inhalation of dust or paint chips? **no**

Is the contractor certified by EPA to work on lead-based paint? **no**

Other:

4. Other Information

Is there anything else you would like to add? Include any information regarding the release of dust and/or paint chips into the surrounding area or any other off-site contamination.

<http://www.solanahighlands.com/> ~~Solana Highlands Apartment Homes~~Managed by Fenton Solana Highlands~~Owned by HG Fenton, a subsidiary of Hanson Building Corporation, since 1998~~~~Solana Highlands Apartment Homes is an identified Targeted Housing; built before 1978 (1972) with 194 units throughout multiple buildings, where a number of occupants including young children (many under the age of 6) reside, and is a partial Section 8 housing community. HG Fenton owns and manages 13 apartment complexes throughout San Diego County, in addition to thousands of feet of business real estate. ~~Since acquiring the property in 1998, Solana Highlands Apartment Homes, owned by HG Fenton, property management has been claiming they have no knowledge of lead-based paint. This would have been declared in thousands upon thousands of leases over an approximate 17 year period. Disclosure requirements have been violated time and time again. Lead-safe, risk assessment reports have not been provided to potential tenants. Pamphlets have not been given to the tenants at time of rental, lease signing, or when work has been done in, out, or around their units. ~~~~It has been recently discovered how there are multiple cases/investigations that have been opened within the Solana Highlands Apartment Homes property by the California Department of Public Health's Childhood Lead Poisoning Division due to elevated lead blood levels

found in children residing at Solana Highlands Apartment Homes.~~~Additionally, lead paint was confirmed on samples taken from one of the units by a State of California certified lab. Despite the aforementioned, on a regular basis, the maintenance team at Solana Highlands Apartment Homes is expected and instructed to engage in work that includes repairs, renovations, and paint (to be later outlined).~~HG Fenton's maintenance training manual contains minimal information on the hazards of lead, yet does include information on how to encapsulate lead-based paint as well as scrape and sand lead-based paint, though they are not Lead-Safe certified to perform these tasks. There is no mention of the EPA or RRP Law despite being updated in January 2013 in the maintenance training manual.~~~Because HG Fenton denies knowledge of lead-based paint on the property, and has not provided Lead-Safe certificates, it is assumed on a number of occasions they have: ~~~~• Failed to have each unit EPA Lead-Safe certified before work was performed multiple times ~• Failed to obtain a firm certificate from the EPA when work has been performed since, and for years prior, the inception of the RRP Law ~• Failed to have their maintenance team, or anyone else on property, EPA Lead-Safe certified to perform inspections, containment, or abatement of lead-based paint ~• Failed to have maintenance team, or anyone else on property, engage in Lead-Safe work standards ~• Failed to disclose lead-based paint on property to hundreds upon thousands of applicants and residents ~• Failed to provide lead hazard pamphlets to hundreds upon thousands of applicants and residents at least interest, lease signing, or lease renewal ~• Failure to post or distribute lead hazard pamphlets prior to work performed ~• Failure to hang hazard notification defining lead work areas ~• Failed to establish and maintain records surrounding lead-based paint ~~~~REGULATION ~~~~HG Fenton does not require maintenance manager, maintenance technicians, or anyone on the maintenance staff be EPA Lead-Safe Certified. ~Likewise, the main outside vendors hired by HG Fenton are not EPA Lead-Certified to perform inspections, repairs, remediation, paint, or restoration. ~ American Technologies, Inc (ATI) – www.atirestoration.com ~ATI is HG Fenton's main restoration company. ATI offers services in multiple states throughout the country. Although they claim to be EPA Lead-Safe Certified, ATI does not come up on the EPA's web site as being such. ~~~~See negative YELP reviews: <http://www.yelp.com/biz/american-technologies-inc-san-diego> ~~~~ Air & Building Sciences, Inc (ABS) – <http://airandbuildingsciences.com/airquality.htm> ~Although their site states they perform lead and asbestos inspection, as well as air testing, ABS does not come up as an EPA Lead-Safe Certified company. ~~~~The owner, Larry Lindeen, frequently presents Moisture Management seminars for HG Fenton, where he teaches to scrape mold off paint, and if the paint is disturbed, scrape the paint and repaint the surface without any sort of containment. ~

5. Contact Information for Person Lodging Complaint

Your contact information is optional and is not confidential.

Name:

Street Address:

City:

State:

Zip Code:

Phone Number:

Email: **srcarre@gmail.com**

May be contact you for clarification or further information? **yes**

For further assistance:

For additional information about the EPA's lead-based paint requirements, visit our website at www.epa.gov/lead or call the National Lead Information Center Hotline at 1-800-424-5323.

[EPA Processing](#)

[This info is required on the Warning Letter](#)

EPA Reference#: **00TCR89**

Certified Letter#:

Processing Information

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